

For \$1638



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of Timothy P. Croughan
Serial No. 09/934,973
Filed August 22, 2001
For: Herbicide Resistant Rice

Examiner Kruse, David H.
Group 1638

Atty. File 98A9-USC1 Croughan

AMENDMENT

Commissioner for Patents
MS Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the USPTO Communication mailed on May 10, 2005, please amend the Claims as shown in Appendix A.

Enclosed is a check for \$120 to extend the time for response to the May 10, 2005 Communication for one month, from June 10, 2005 to July 11, 2005. If this amount is incorrect, please refer to the Deposit Account Authorization previously

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CERTIFICATE

I hereby certify that this Amendment and the enclosed check for \$120 are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, MS Amendment, P.O. Box 1450, Alexandria, VA 22313-1450 on July 11, 2005.

John H. Runnels
Registration No. 33,451
July 11, 2005

filed for this application. If any additional extension of time is required, please consider this paper a petition for the total extension of time required.

The Claims presented in Appendix A, including the markings to show how the Claims are being amended, are identical to those presented in the March 7, 2005 Amendment. The only change that has been made is that, where appropriate, certain pending Claims have been re-designated as being “(withdrawn)” to indicate that the Office has treated them as being withdrawn pursuant to a restriction requirement.

It is not, of course, Applicant’s intention to surrender the Claims that are identified as being “(withdrawn).” This designation is purely procedural.

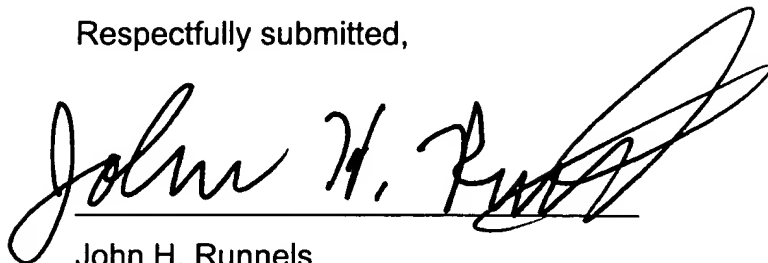
To the contrary, for the reasons given in the March 7, 2005 Amendment, at page 6, section 2, it is respectfully submitted that once the elected Claims have been allowed, then the non-elected (withdrawn) Claims should be re-joined and examined in the same application.

Note that Claim 71 is designated both as being “withdrawn” and also as being “currently amended.”

The arguments and reasoning contained in Applicant’s March 7, 2005 Amendment are otherwise responsive to the December 22, 2005 Communication and to the June 3, 2004 Office Action, and are hereby incorporated as if set out in full.

For the reasons given in the March 7, 2005 Amendment, allowance of all pending Claims, including the "withdrawn" claims, is respectfully requested at an early date.

Respectfully submitted,

A handwritten signature in black ink, reading "John H. Runnels", written over a horizontal line.

John H. Runnels
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July 11, 2005